

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE LICENSING AND
REGULATORY COMMITTEE – 6 OCTOBER 2008

SUBMITTED TO THE COUNCIL – 21 OCTOBER 2008

(To be read in conjunction with the Agenda for the Meeting)

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|---------------------------------------|------------------------|
| * Cllr Mrs Gillian Beel (Chairman) | * Cllr Nicholas Holder |
| * Cllr Robert Knowles (Vice-Chairman) | * Cllr Julian Hubble |
| * Cllr Maurice Byham | * Cllr Mrs Carole King |
| Cllr Mrs Elizabeth Cable | Cllr Peter Isherwood |
| * Cllr Victor Duckett | * Cllr Bryn Morgan |
| Cllr Bob Frost | * Cllr John Savage |
- *Present

23. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 28 July 2008 were confirmed and signed.

24. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence were received from Councillors Mrs Elizabeth Cable, Bob Frost and Peter Isherwood. Councillor Stuart Connolly attended as a substitute.

25. DISCLOSURE OF INTERESTS (Agenda Item 3)

Agenda Item 10; (EXEMPT) Appendix E

All Members of the Committee present at the meeting asked for the minutes to record the fact that prior to this meeting they had not watched the recent television broadcast that contained issues surrounding this item.

PART I – RECOMMENDATIONS TO COUNCIL

26. EXCLUSION OF PRESS AND PUBLIC (Agenda Item 9)

RESOLVED that pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 7 of the revised Part 1 of Schedule 12A to the Act in respect of the following:

Minute 27

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

27. BREEDING OF DOGS ACT 1973 (Agenda Item 10; (EXEMPT) Appendix E)

The Committee considered a report on this matter. The report is attached as (Exempt) Annexe 1.

The Committee accordingly

RECOMMENDS that

1. **the recommendation contained in (Exempt) Annexe 1 to these minutes be approved.**

Background Papers (SDCS)

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

PARTS II AND III – MATTERS OF REPORT

Background Papers (CEX)

The background papers relating to the following items in Parts II and III are as specified in the Agenda for the meeting of the Licensing and Regulatory Committee.

PART II – Matters reported in detail for the information of the Council

28. THE CHARITIES ACT 2006 AND DRAFT COLLECTIONS POLICY (Agenda Item 6; Appendix A)

- 28.1 The Committee considered the report and draft policy on how the Council proposed to administer locally the licensing of Public Charitable Collections. As yet there was no set date for full implementation of the Act. However, there were indications that it would be during in 2009. Regulations were still awaited for the functions that the Council would deal with and the principal concern for Waverley was the effect of this new Act on the control of street and house-to-house collections in the Borough.
- 28.2 The Act provided for a new system for licensing charitable collections in public. The Charity Commission would be responsible for issuing Public Collections Certificates to charities, which would be valid for up to five years. A collection could not take place unless the promoters held a Public Collection Certificate from the Charity Commission, and the collection was conducted in accordance with a permit issued by the Local Authority. Similarly, such collections going from door to door (a door-to-door collection) could not be held without a Public Collections Certificate and notification to the Local Authority of the intention to make this type of collection, sending a copy of the charity's Public Collection Certificate.

- 28.3 Under the new legislation, once a charity had a public collections certificate it would be able to apply to a local authority for a permit to hold collections at certain times in certain places in that local authority area. The local authority would assess the applications to ensure that collections did not clash and the public were not annoyed by excessive collection activity, known as 'collection fatigue'. Currently, approximately 200 to 250 street collection permits were issued in Waverley each year.
- 28.4 A charity with a Public Collections Certificate would be able to conduct door-to-door collections without permission from a local authority, but it must inform the local authority that the collection was taking place.
- 28.5 Having given consideration to the details in the report, the Committee requested some minor amendments to the draft policy concerning collections during the Armistice Day/Remembrance Day period and additions to the list of consultees, and

RESOLVED that the report be noted and the draft Policy for Charitable Collections, as amended, be approved insofar as it covered issues in the legislation, while awaiting publication of the Regulations.

Background Papers (SDCS)

Draft Policy of Runnymede Borough Council, shared with the Surrey Charities Forum.

PART III – Brief Summaries of other matters dealt with

29. ACTION TAKEN SINCE THE LAST MEETING (Agenda Item 5)

The Committee noted the actions taken by the Chief Executive after consultation with the Chairman and Vice-Chairman.

30. MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE (Agenda Item 7; Appendix B)

RESOLVED that the minutes of the meeting of the Licensing (General Purposes) Sub-Committee held on 28 July 2008 be noted.

31. MINUTES OF THE MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEES C & A (Agenda Item 8: Appendix C and Appendix D)

RESOLVED that the minutes of the meetings of the Licensing Act 2003 Sub-Committee C held on 11 August 2008 and Licensing Act 2003 Sub-Committee A held on 26 August 2008 be noted.

The meeting commenced at 7.00 p.m. and concluded at 8.02 p.m.

Chairman